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8 **UNITED STATES DISTRICT COURT**
9 **SOUTHERN DISTRICT OF CALIFORNIA**
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11 JOHN SONES, on behalf of himself, and on
12 behalf of all persons similarly situated,

13 Plaintiff,

14 vs.

15 WORLD MORTGAGE COMPANY; and
16 DOES 1 to 10,

16 Defendants.

Case No. 08cv0756 BEN (JMA)

**ORDER GRANTING IN PART
JOINT MOTION TO STAY
PROCEEDINGS PENDING
MEDIATION**

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18 Plaintiff John Sones has commenced this putative class action against Defendants World
19 Mortgage Company and Does 1 to 10. Dkt. No. 8 (June 16, 2008). After receiving two extensions
20 of time to answer or otherwise respond to Sones' pleadings, World Mortgage joins Sones in a motion
21 to stay the proceedings pending private mediation. Dkt. No. 13 (July 30, 2008). For the reasons set
22 forth below, this joint motion is granted in part.

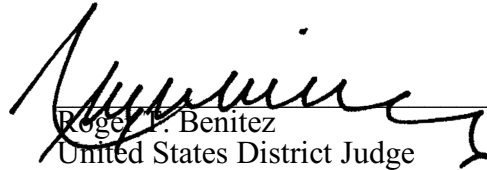
23 The parties fail to establish a sufficient basis to justify a stay pending the result of their
24 anticipated mediation. While this joint motion was pending, the parties informed Magistrate Judge
25 Adler that their mediation would begin on October 7, 2008. To monitor the status of the mediation,
26 Magistrate Judge Adler set a case management conference for October 17, 2008. Dkt. No. 15 (Aug.
27 18, 2008). Aside from the start date, however, the parties have provided the Court with no information
28 about the schedule of their mediation. Nor have they informed the Court of their likelihood of success

1 in resolving this case through mediation. The Court therefore lacks a factual basis to determine when
2 the mediation will end. Moreover, a stay as fashioned in the parties' joint motion may frustrate the
3 policy favoring speedy determination of all cases. FED. R. CIV. P. 1. Accordingly, to the extent that
4 the parties seek an open-ended stay pending mediation, their joint motion is denied. *See United*
5 *Steelworkers of Am. v. Retirement Income Plan for Hourly-Rated Employees of ASARCO, Inc.*, 512
6 F.3d 555, 563 (9th Cir. 2008) (district courts enjoy broad discretion in deciding motions to stay).

7 However, because resolving this case through mediation serves judicial economy, a short stay
8 of the proceedings pending mediation is warranted. The parties' joint motion is therefore granted in
9 part. This case is stayed through October 17, 2008 or another date set by Magistrate Judge Adler for
10 the case management conference. In any event, the stay shall expire no later than November 15, 2008.

11 IT IS SO ORDERED.

12 Dated: September 2, 2008

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16 Roger E. Benitez
17 United States District Judge
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